

## REMARKS/ARGUMENTS

Claims 1-4, 9, 12, 16, and 19 are pending in the present application. Claims 1-4, 9, 12, 16, and 19 are amended. Claims 5-8, 10-11, 13-15, 17-18, and 20 are canceled. Support for the claim amendments can be found in the claims as originally filed, as the claim amendments and new claims incorporate features from previously presented dependent claims. No new matter is added by this amendment. Reconsideration of the claims is respectfully requested.

Applicants have amended some claims and canceled others. Applicants do not concede that the subject matter encompassed by the earlier presented claims is not patentable over the art cited by the Examiner. Applicants canceled claims in this response solely to facilitate expeditious prosecution of this application. Applicants traverse all rejections and respectfully reserve the right to pursue the earlier-presented claims, and additional claims, in one or more continuing applications.

### **I.      Examiner Interview**

Applicants thank Examiner Saindon for the interview held on June 12, 2008 between the Applicants' representatives and the Examiner. The Examiner and the undersigned attorney discussed the 35 U.S.C. §101 rejection. Agreement was reached regarding Applicants' amendment to claims 9 and 16. Applicants have incorporated the Examiner's suggestion regarding claim 1. Applicants address this rejection accordingly.

The 35 U.S.C. §102 rejection was also discussed. No agreement was reached with regard to this rejection or the 103 rejection.

### **II.     35 U.S.C. § 101**

The Examiner has rejected claims 9-20 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

Regarding claims 9-15 the Examiner states:

**Regarding independent claim 9-15:** a system is recited in the preamble. However, the system does not contain any physical structure, comprising only of various non-statutory software means.

Office Action dated April 11, 2008, page 2 (emphasis in original).

Applicants have amended claims 9 and 12 in accordance with judicial case law and PTO guidelines on claiming computer media-related inventions. Independent claim 9 is as follows:

9.      A data processing system for managing scheduling information in a calendar program, the data processing system comprising:

a processor for storing in a memory a first scheduling information and a second scheduling information for a user, wherein the first scheduling information comprises a first location, a first time zone association with the first location, and first business hours associated with the first location and wherein the second scheduling information comprises a second location, a second time zone associated with a second location, and second business hours associated with the second location;

a display for presenting a calendar view using the first scheduling information and the second scheduling information, wherein the first scheduling information is displayed using the first time zone and wherein the second scheduling information is displayed using the second time zone and wherein the first scheduling information displays only the first business hours using the first time zone and wherein the second scheduling information displays only the second business hours using the second time zone;

responsive to receiving a scheduled meeting time from the user, the processor executing instructions for selecting a participant from a plurality of potential participants;

responsive to selecting the participant, the processor executing instructions for receiving participant schedule information wherein the participant schedule information comprises a participant location and a participant time zone associated with the participant location;

the processor executing instructions for identifying a participant local time associated with the participant time zone associated with the participant location;

the processor executing instructions for presenting the participant schedule information using the participant local time in the calendar view; and

responsive to identifying the participant local time, the display displaying a participant meeting time using the participant local time, wherein the participant meeting time corresponds with the schedule meeting time.

Applicants respectfully submit that claims 9-15 are statutory and request withdrawal of the rejection of claims 9-15 under 35 U.S.C. § 101.

Regarding claims 16-20 the Examiner states:

**Regarding independent claim 16-20:** a computer readable medium is recited in the preamble. However, computer readable media includes, according to page 22 of the specification, “transmission-type media, such as digital and analog communications ...such as ... radio frequency and light wave transmissions.” Therefore, the claims are directed towards non-statutory signals.

Office Action dated April 11, 2008, page 2 (emphasis in original).

Applicants amended the claim 16 to contain the feature of, “A computer program product in a computer readable-recordable-type storage medium embodying executable instructions for managing scheduling information in a calendar program, the computer program product comprising...” This language complies with the standards of *Diamond v. Diehr* and *Ex parte Luthi*. Therefore, Applicants respectfully submit that claims 16-20 are statutory and request withdrawal of the rejection of claims 16-20 under 35 U.S.C. § 101.

### **III. 35 U.S.C. § 112, Second Paragraph**

The Examiner has rejected claims 2, 4, 6, 9-15 and 18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which Applicants regard as the invention. This rejection is respectfully traversed. Applicants have canceled claims 6 and 13-15. Therefore, the rejection with respect to these claims is moot. Applicants have amended claims 2, 4, 9-12 and 18 to recite subject matter and language that complies with the requirements of 35 U.S.C. § 112. Applicants respectfully request withdrawal of this rejection.

### **IV. 35 U.S.C. § 102, Anticipation**

The Examiner has rejected claims 1-3, 6, 8-10, 13, 15-17, and 20 under 35 U.S.C. § 102 as being anticipated by *Lapuyade et al. (U.S. 7,219,109)* (hereinafter “*Lapuyade*”). This rejection is respectfully traversed.

The Examiner states:

**As to claim 1,** *Lapuyade* discloses a method in a data processing system for managing scheduling information in a calendar program, the method comprising: storing location information with scheduling information for a user, wherein the location information includes a time zone associated with a location for the user for a particular day (see Fig. 2, noting the event has a time zone associated with it); and presenting a calendar view for the user with meetings being shown using a local time using the time zone associated with the location of the user (see id., noting the calendar in the background, the meeting item storing time zone data).

Office Action dated April 11, 2008, page 4 (emphasis in original).

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case, each and every feature of the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claims.

Applicants have amended claim 1 to recite additional features that are not taught by the cited prior art. Amended claim 1 is as follows:

1. (Currently Amended) A method for managing scheduling information in a calendar program in a data processing system, the data processing system including executable instructions embodied on a computer readable medium, the instructions when executed by the data processing system performs the method comprising:

storing in a memory of the data processing system a first scheduling information and a second scheduling information for a user, wherein the first scheduling information comprises a first location, a first time zone association with the first location, and first business hours associated with the first location and wherein the second scheduling information comprises a second location, a second time zone associated with a second location, and second business hours associated with the second location;

presenting a calendar view, to the user, using the first scheduling information and the second scheduling information, wherein the first scheduling information is displayed using the first time zone and wherein the second scheduling information is displayed using the second time zone and wherein the first scheduling information displays only the first business hours using the first time zone and wherein the second scheduling information displays only the second business hours using the second time zone, wherein the calendar view is presented to the user on a display;

responsive to receiving a scheduled meeting time, from the user, selecting a participant from a plurality of potential participants;

responsive to selecting the participant, receiving participant schedule information wherein the participant schedule information comprises a participant location and a participant time zone associated with the participant location;

identifying a participant local time associated with the participant time zone associated with the participant location;

presenting the participant schedule information using the participant local time in the calendar view; and

responsive to identifying the participant local time, displaying a participant meeting time using the participant local time, wherein the participant meeting time corresponds with the schedule meeting time.

*Lapuyade* teaches a method where a user associates a time zone with an event by selecting the time zone from a details menu. The event is stored in a calendar application in association with a block of time. However, nothing in *Lapuyade* teaches each and every feature of claim 1. Specifically, *Lapuyade* does not teach that a calendar view is presented showing multiple schedules where each schedule is in a different time zone as claimed in amended claim 1.

*Lapuyade* fails to teach the feature “presenting a calendar view, to a user, using the first scheduling information and the second scheduling information, wherein the first scheduling information is displayed using the first time zone and wherein the second scheduling information is displayed using the second time zone.” *Lapuyade* teaches that the user can display events in any *display time* and the event times are translated from the stored event time for the display time zone. However, *Lapuyade* does not teach displaying a calendar view for a participant, and the calendar view showing each time zone a participant is on each scheduled day, e.g. a first time zone and a second time zone. *Lapuyade* does not anticipate claim 1 because *Lapuyade* fails to teach each and every feature as claimed in claim 1.

Therefore, the rejection under 35 U.S.C 102 is overcome.

Claims 9 and 16 recite similar subject matter with regard to claim 1. Independent claims 9 and 16 are not anticipated for the reasons stated above with regard to similarly recited subject matter. Dependent

claims 2-4, 12, and 19 depend from claims 1, 9, and 16. Therefore, dependent claims 2-4, 12, and 19 are not anticipated. Accordingly, the 35 U.S.C. 102 rejection, with respect to these claims, is overcome.

V. **35 U.S.C. § 103, Obviousness**

The Examiner has rejected claims 4, 5, 7, 11, 12, 14, 18, and 19 under 35 U.S.C. § 103 as obvious over *Lapuyade* in view of Examiner's Official Notice. Applicants have canceled claims 5, 7, 11-12, 14, and 18. Therefore, the rejection with respect to these claims is moot. Applicants have amended claims 4, 12, and 19 to recite additional features. The rejection with respect to these claims is respectfully traversed.

Amended claim 4 states:

4. The method of claim 1, further comprising:
  - identifying participant business hours associated with the participant location
  - forming a participant work day; and
  - presenting the participant schedule information using the participant work day using the participant time zone in the calendar view.

The Examiner admits that *Lapuyade* does not teach or suggest all the features of claim 4. The Examiner takes official notice that it is old and well known to schedule meetings between people who are in a common location. However, in the case at hand, the combination of the references, when considered as a whole, does not teach or suggest "presenting the participant schedule information using the participant work day using the participant time zone in the calendar view" as claimed in claim 4. In the claimed invention, the calendar view shows the time zone for each day in the calendar view and also shows the business hours associated with the participant's location for that day. Therefore, the Examiner fails to state a *prima facie* obviousness rejection of amended claim 4.

Claims 12 and 19 state subject matter similar to claim 4. Accordingly, the combination of the references as a whole fails to teach or suggest the claimed features of claims 12 and 19. Therefore, the rejection of claims 4, 12, and 19 under 35 U.S.C. § 103 has been overcome.

**VI. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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